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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Hosheng Tu, et al.
Appl. No. : 10/046,137
Filed : November 8, 2001
For : DRUG-RELEASING
TRABECULAR IMPLANT FOR
GLAUCOMA TREATMENT
Examiner : Patricia Bianco
Group Art Unit : 3762

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

June 25, 2004

(Date)

James W. Hill M.D., Reg. No. 46,396

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This communication is in response to the Office Action mailed April 28, 2004. The Examiner has required restriction to one of six groups of inventions:

Group I (Claims 1-29), drawn to a trabecular shunt device, classified in class 604, subclass 9;

Group II (Claims 30-47 and 83-85), drawn to a method for treating glaucoma, classified in class 604, subclass 521;

Group III (Claims 48-61), drawn to a method for regulating aqueous humor outflow within the eye, classified in class 128, subclass 898;

Group IV (Claims 62-72), drawn to a method for regulating intraocular pressure, classified in class 128, subclass 898;

Group V (Claims 73-76), drawn to an apparatus for implanting a shunt device, classified in class 606, subclass 4; and

Group VI (Claims 77-82), drawn to a method for implanting a shunt using an applicator, classified in class 606, subclass 108.

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Applicant hereby elects, without traverse, to prosecute the claims directed to Group II, classified in class 604, subclass 521, in the present application. Applicant reserves the right to pursue the remaining claims in one or more divisional applications. Accordingly, Applicant respectfully requests examination on the merits of Claims 30-47 and 83-85.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 6/25/04

By: James W. Hill

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